

**AGENDA  
FOR THE MEETING OF THE  
BOARD OF LAND AND NATURAL RESOURCES**

DATE: FRIDAY, MAY 24, 2019  
TIME: **9:15 A.M.**  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813

19 MAY 17 9:40

LIEUTENANT GOVERNOR'S  
OFFICE

In some of the matters before the Board, a person may wish to request a contested case hearing. If such a request is made before the Board's decision, then the Board will consider the request first – before considering the merits of the item before it. A person who wants a contested case may also wait until the Board decides the issue, then request the contested case after the decision. It is up to you. Any request must be made orally by the end of the meeting and followed up in writing within ten days. If no request for contested case is made, the Board will make a decision. The Department will treat the decision as final and proceed accordingly.

**A. MINUTES**

1. Approval of Meeting Minutes for February 22, 2019.
2. Approval of Meeting Minutes for March 8, 2019.
3. Approval of Meeting Minutes for May 10, 2019.

**C. DIVISION OF FORESTRY AND WILDLIFE**

1. Acceptance of Hearing Officer's report on a public hearing for two proposed additions to the forest reserve system on the Island of O'ahu.

Approval and recommendation to the Governor regarding issuance of an executive order for addition of Tax Map Keys (1) 6-3-001:003, (1) 6-4-004:011, (1) 7-1-002:011, and (1) 7-2-001:003, comprising approximately 2,881.626 acres, to the 'Ewa Forest Reserve (Helemano section), Pa'ala'a-uka, Waialua, and Wahiawa, O'ahu.

Approval and recommendation to the Governor regarding issuance of an executive order for addition of Tax Map Key (1) 3-4-015:034, comprising approximately 25,731 square feet, to the Honolulu Watershed Forest Reserve, Waimao, Palolo, O'ahu.

#### D. LAND DIVISION

1. Grant of Term, Non-Exclusive Easement to Wai'oli Valley Taro Hui, Inc. for Surface Water Diversion and Irrigation Purposes, Wai'oli, Hanalei, Kauai, Tax Map Key: (4) 5-6-002:001 (portion).
2. Approve a One-Year Holdover, General Lease No. 3837, Floral Resources/Hawaii, Inc., Lessee, Waiākea, South Hilo, Hawai'i, Tax Map Key: (3) 2-2-044:004.
3. Issuance of a Right-of-Entry Permit to the Maui Film Festival, Inc. for the 2019 Maui Film Festival at Wailea Beach, Maui; Tax Map Key: (2) 2-1-023: seaward of 007.
4. Issuance of a Right-of-Entry Permit to MC&A, Inc. for Beach Events for Dell Chairman's Club; Wailea Beach, Honua'ula, Maui, Tax Map Key: (2) 2-1-023: seaward of 007.
5. Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. over Portions of Duke Kahanamoku Beach for Stage and Gathering Area Purposes from June 27 to 29, 2019 in relation to the United States Conference of Mayors to be held on the Abutting Private Property, Waikiki, Honolulu, O'ahu, Tax Map Key: (1) 2-3-037: Portions of 021.
6. Amend Prior Board Action of December 9, 2010, Item D-6, *Cancel Governor's Executive Order (GEO) Nos. 1330, 1786, and 1795, and Reset Aside to the Department of Land and Natural Resources, Division of Boating and Ocean Recreation for Ala Wai Small Boat Harbor, Beach Control and Related Purposes, Kewalo and Kalia, Waikiki, Honolulu, Oahu, Tax Map Keys: (1) 2-1-58: Various, (1) 2-3-37: Various, (1) 2-6-01, 02, 04, 05, 10: Various, and (1) 3-1-30, 31, 32: Various.*

The purpose of the amendment is to add Governor's Executive Order (GEO) Nos. 2170 and 2575 which were missed in the prior Board action.

7. Grant of Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. for Utility Purposes, Cancellation of Revocable Permit No. S-7605; Waimanalo, Koolaupoko, O'ahu; Tax Map Key: (1) 4-1-013: portions of 022.
8. Issuance of Right-of-Entry Permit to the Marriott International, Inc., dba: Kauai Marriott Resort & Beach Club, for Kauai Lifeguard Beach Bash Event Over Unencumbered State Lands at Kalapaki Beach, Kalapaki, Lihue, Kauai, Tax Map Key: (4) 3-5-002: seaward of 002.

## **F. DIVISION OF AQUATIC RESOURCES**

1. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Dr. Pualani Kanaka'ole Kanahale, University of Hawai'i at Hilo, Kipuka Native Hawaiian Student Center for Access to and State Waters surrounding Mokumanamana and Nīhoa islands to Conduct 2019 Summer Solstice Cultural Research Activities.
2. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Dr. Russell E. Brainard, National Oceanic and Atmospheric Administration, Pacific Island Fisheries Center, for Access to State Waters surrounding French Frigate Shoals, Lisianski Island, Pearl and Hermes Atoll, and Kure Atoll, to Conduct Activities for the Pacific Reef Assessment and Monitoring Program.
3. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Ms. Keomailani Case, Nā Kālai Wa'a for Access to and State Waters surrounding Mokumanamana to Conduct Training Sails on the Makali'i and Cultural Research Activities.
4. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Special Ocean Use Permit to Ms. Keomailani Case, Nā Kālai Wa'a, for Access to and State Waters surrounding Mokumanamana to Conduct Photographic Activities.

5. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to William Middleton, Liquid Robotics, Inc. for Access to State Waters surrounding Mokumanamana and Nīhoa islands to Deploy an Unmanned Autonomous Wave Glider for Oceanographic Research.

**J. DIVISION OF BOATING AND OCEAN RECREATION**

1. Denial of Administrative Hearing Requested by Kama'aina Care Inc., regarding Non-Renewal of Kāne'ohe Bay Waters Commercial Use Permit No. CO038251.

**L. ENGINEERING**

1. Authorization to Enter into a Memorandum of Agreement with the U.S. Fish and Wildlife Service (USFWS) for the Transfer of Act 12, SLH 2018 Funding Appropriated for Disaster and Flood Relief for April 2018 Storms for the Repair and/or Relocation of the Damaged Intake Structure for USFWS's Water Diversion System, Hanalei, Kauai, Hawai'i

**M. OTHERS**

1. Issuance of a Revocable Permit for an Executive Lounge, IASS Hawaii, LLC, Central Concourse, Daniel K. Inouye International Airport, Honolulu, Hawai'i, Tax Map Key: (1) 1-1-003: 050 (Portion).
2. Issuance of a Revocable Permit for Space to Stockpile Material for Honolulu Rapid Transit Project, Shimmick/Traylor/Granite, JV, Daniel K. Inouye International Airport, Honolulu, Hawai'i, Tax Map Key: (1) 1-1-003: 218 (Portion).
3. Issuance of a Revocable Permit for Construction Material Storage and Equipment Staging, Watts Constructors, LLC, Daniel K. Inouye International Airport, Honolulu, Hawai'i, Tax Map Key: (1) 1-1-014:097 (Portion).

4. Issuance of a Revocable Permit for a Training Room and Administrative Space for Flight School Operation, Barbers Point Aviation Services, LLC, Kalaeloa Airport, Hawai'i, Tax Map Key: (1) 9-1-013: Portion of 103.
5. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, GV Air, Inc., Kalaeloa Airport, Hawai'i, Tax Map Key: (1) 9-1-013: Portion of 032.
6. Issuance of a Revocable Permit for Customer Vehicle Parking, Air Service Hawaii, Inc., Ellison Onizuka Kona International Airport at Keāhole, Island and State of Hawai'i, Tax Map Key: (3) 7-3-043: Portion of 040.
7. Issuance of a Revocable Permit for Aircraft Parking, Andrew Cole, Hilo International Airport, Island and State of Hawai'i, Tax Map Key: (3) 2-1-012: Portion of 090.
8. Issuance of a Revocable Permit for Ramp Space for the Parking of Ground Service Equipment for Use in Air Cargo Operations, Hawaiian Airlines, Inc., Hilo International Airport, Island and State of Hawai'i, Tax Map Key: (3) 2-1-012: Portion of 090.
9. Issuance of a Revocable Permit for Vehicle Parking, Fedex Ground Package System, Inc., Moloka'i Airport, Hawai'i, Tax Map Key: (2) 5-2-04: Portion of 8.
10. Issuance of a Revocable Permit to Hawaiian Cement to replace existing Revocable Permit No. H-13-2738 situated at Pier 7, Kalaeloa, Barbers Point Harbor, Oahu, Hawai'i, Tax Map Key: (1) 9-1-014: Portion of 024. Governor's Executive Order No. 38533.
11. Issuance of a Construction Right-of-Entry to Hawaiian Electric Company, Inc., to install an Upgraded Replacement Underground and Associated Facilities for the completion of Matson Terminals, Inc., Improvements and Capital Improvements Projects within the Sand Island Container Facility, Honolulu Harbor, Oahu, Hawai'i, Tax Map Key: (1) 1-5-041: Portion of 200.
12. Issuance of a Construction Right-of Entry and Revocable Permit to Matson Navigation Company, Inc. for Submerged Lands at Pier 7, Honolulu Harbor, Oahu, Hawai'i, Tax Map Key (1) 2-1-1:001, Portion of 058.

13. Issuance of Revocable Permit to JFC International Inc., to replace existing Revocable Permit No. H-02-2330 situated at Pier 33, Honolulu Harbor, Oahu, Hawai'i, Tax Map Key: (1) 1-5-035: Portion of 009.
14. Litigation of *O. Thronas, Inc. v. Board of Land and Natural Resources, State of Hawaii*, Civil No. 19-1-0029, Circuit Court of the Fifth Circuit.

The Board may go into executive session closed to the public pursuant to Section 92-4 and 92-5(a)(4), Hawaii Revised Statutes, to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

**NON-ACTION ITEM**

The Board may go into Executive Session pursuant to Section 92-5(a) (4), Hawaii Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

**TO BE PLACED ON THE MOVE UP AGENDA, PLEASE SIGN IN BY 9:00 A.M. THE DAY OF THE MEETING.**

**Public Testimony:** e-mail: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)

The Sunshine Law gives the public the opportunity to submit testimony, but it is your responsibility to submit written testimony in a timely manner, to give Board members sufficient time to consider written testimony, please submit the testimony no later than 24 hours prior to the Board Meeting.

Any late written testimony will be retained as a part of the record, but we cannot assure that Board members will receive it with sufficient time for review prior to decision-making.

**Meeting materials are available for public review in advance of the meeting on our Website:**

<http://www.dlnr.Hawaii.gov/meetings> or **in person** at 1151 Punchbowl Street, Rm 131, Honolulu, Hawaii 96813.

**INDIVIDUALS REQUIRING SPECIAL ASSISTANCE OR AUXILIARY AIDS OR SERVICES (e.g., sign language interpreter, wheel chair accessibility, or parking designated for the disabled) AT THE BLNR MEETING, PLEASE CONTACT STAFF AT LEAST 72-HOURS PRIOR TO THE MEETING AT (808) 587-0404 SO THAT ARRANGEMENTS CAN BE MADE.**